

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Walter Quinn Rutland, #223072,

Petitioner,

vs.

State of South Carolinas;
Department of Corrections; William R.
Byars Jr., Director; Candi L. Cannon,
Classification Chief for SCDC,

Respondents.

C/A No. 5:12-1110-TMC

ORDER

Petitioner is an inmate at the Trenton Correctional Institution in Trenton, SC. Proceeding *pro se*, he filed a petition seeking habeas corpus relief pursuant to 28 U.S.C. § 2254. By Order dated May 9, 2012, Petitioner was given an opportunity to provide the necessary information and paperwork to bring the case into proper form for evaluation and possible service of process. Petitioner was warned that failure to provide the necessary information within the timetable set in the Order would subject the case to dismissal. Petitioner did not respond to the order and the time for response has lapsed. Petitioner has failed to prosecute this case and has failed to comply with an order of this Court. The case is **dismissed without prejudice** pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962). Further, the Clerk of Court is directed to terminate any pending motions as moot.

IT IS SO ORDERED.

June 6, 2012
Greenville, South Carolina

s/Timothy M. Cain
Timothy M. Cain
United States District Judge

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.